

## ABSTRACT

There is provided an apparatus and method for using QOF (Quasi-Orthogonal Function) Walsh codes when enough orthogonal Walsh codes are not  
5 available for a packet data service in a mobile communication system supporting concurrent provision of a high rate packet data service and a circuit call service. A data rate (DR1) in the case of using available orthogonal Walsh codes is first obtained. Then, a data rate (DR2) in the case of using QOF Walsh codes is obtained considering a power reduction factor due to the increase of interference  
10 involved with the use of the QOF Walsh codes. Packet data is transmitted at a higher data rate of DR1 and DR2. At the same time, information about the selected data rate and information about whether the QOF Walsh codes are used or not are transmitted.

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